

DOCKET NO.: ORTU-0007

**PATENT
REISSUE LITIGATION**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Reissue Application of:

Raffa, et al.

U.S. Patent No.: 5,336,691

Issued: August 9, 1994

Application No.: 07/974,865

Group Art Unit: 1205

Filing Date: November 10, 1992

Examiner: William R.A. Jarvis

For: Composition Comprising A Tramadol Material And Acetaminophen And Its Use

EXPRESS MAIL LABEL NO: EV 160092280 US

DATE OF DEPOSIT: January 20, 2004

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

INFORMATION DISCLOSURE STATEMENT

Pursuant to 37 CFR § 1.56 and in accordance with 37 CFR §§ 1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 CFR § 1.56(b).

- ☒ In accordance with § 1.97(b), since this Information Disclosure Statement is being filed either within three months of the filing date of the above-identified application, within three months of the date of entry into the national stage of the

above identified application as set forth in § 1.491, before the mailing date of a first Office Action on the merits of the above-identified application, or before the mailing date of a first Office Action after the filing of request for continued examination under § 1.114, no additional fee is required.

☐ In accordance with § 1.129(a), this Information Disclosure Statement is being filed in connection with ☐ the first or ☐ second After Final Submission, therefore:

☐ Certification in Accordance with § 1.97(e) is attached; or

☐ The fee of \$180.00 as set forth in § 1.17(p) is attached.

☐ In accordance with § 1.97(c), this Information Disclosure Statement is being filed after the period set forth in § 1.97(b) above but before the mailing date of either a Final Action under § 1.113 or a Notice of Allowance under § 1.311, or before an action that otherwise closes prosecution in the application, therefore:

☐ Certification in Accordance with § 1.97(e) is attached; or

☐ The fee of \$180.00 as set forth in § 1.17(p) is attached.

☐ In accordance with § 1.97(d), this Information Disclosure Statement is being filed after the mailing date of either a Final Action under § 1.113 or a Notice of Allowance under § 1.311 but before, or simultaneously with, the payment of the Issue Fee, therefore included are: Certification in Accordance with § 1.97(e); and the submission fee of \$180.00 as set forth in § 1.17(p).

☒ Copies of each of the references listed on the attached Form PTO-1449 are enclosed herewith.

- ☐ Copies of references listed on the attached Form PTO-1449 are enclosed herewith
- ☐ Copies of references listed on the attached Form PTO 1449 are not required to be submitted pursuant to the June 30, 2003 recent revisions to 37 CFR § 1.98(a)(2)(i).

EXCEPT THAT:

- ☐ In view of the voluminous nature of references [list as appropriate], and the likelihood that these references are available to the Examiner, copies are not enclosed herewith.
- ☐ In accordance with § 1.98(d), copies of the following references listed on the attached Form PTO-1449 are not enclosed herewith because they were previously cited by or submitted to the U.S. Patent and Trademark Office in patent application(s) for which a claim for priority under 35 U.S.C. § 120 have been made in the instant application:
- ☐ Copies of references [list as appropriate] listed on the attached Form PTO-1449 were previously cited by or submitted to the Patent and Trademark Office in prior Application No. , filed

Please charge any deficiency or credit any overpayment to Deposit Account No. 23-3050.

This form is submitted in duplicate.

- ☐ The relevance of those listed references which are not in the English language is as follows:


DOCKET NO.: ORTU-0007

- 4 -

**PATENT
REISSUE LITIGATION**

☒ There are no listed references which are not in the English language.

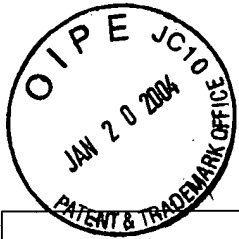
Date: January 20, 2004



Joseph Lucci
Registration Number 33,307

WOODCOCK WASHBURN LLP
One Liberty Place - 46th Floor
Philadelphia, PA 19103
Telephone: (215) 568-3100
Facsimile: (215) 568-3439

© 2004 WW



Form PTO-1449 Modified 37 CFR 1.501 INFORMATION DISCLOSURE CITATION IN A PATENT (Use several sheets if necessary)	Docket No. ORTU-0007	Patent No. US 5,336,691
	Applicant Robert Raffa, et al.	
	Issue Date August 9, 1994	Group Not Yet Assigned

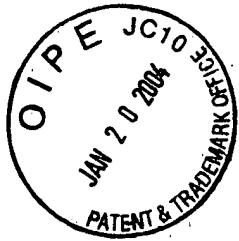
U. S. PATENT DOCUMENTS

Examiner Initial		Document No.	Date	Name	Class	Subclass
	1	3,652,589	03/28/72	Flick, et al.	260	326.5 M
	2	3,830,934	08/20/74	Flick, et al.	424	330

FOREIGN PATENT DOCUMENTS

Examiner Initial		Document No.	Date	Country	Translation	
					YES	NO

EXAMINER	DATE CONSIDERED
-----------------	------------------------



Sheet 2 of 2
REISSUE LITIGATION

Form PTO-1449 Modified 37 CFR 1.501 INFORMATION DISCLOSURE CITATION IN A PATENT (Use several sheets if necessary) U.S. Department of Commerce Patent and Trademark Office		Docket No. ORTU-0007	Patent No. US 5,336,691
		Applicant Robert Raffa, et al.	
		Issue Date August 9, 1994	Group Not Yet Assigned
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)			
	3	Budavari, Susan, editor, <i>The Merck Index</i> , 11th Edition, Merck & Co., Inc., Rahway, N.J., 1989, pgs. 8 and 1506	
EXAMINER		DATE CONSIDERED	